



18 JUN 2003  
UNITED STATES PATENT AND TRADEMARK OFFICE

#13

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

Wolfgang E. Stutius  
ROPES AND GRAY  
One International Plaza  
Boston, MA 02110-2624

In re Application of :  
MEARS, Robert, et al. :  
U.S. Application No.:09/914,944 :  
PCT No.: PCT/GB00/00768 :  
International Filing Date: 03 March 2000 :  
Priority Date: 05 March 1999 :  
Attorney's Docket No.: NVSS-P01-001 :  
For: IMPROVEMENTS IN AND RELATING TO :  
GRATINGS :

COMMUNICATION

This application is before the PCT Legal Office for issues arising under 35 U.S.C. 371.

### **BACKGROUND**

On 03 March 2000, applicants filed international application PCT/GB00/00768 which claimed a priority date of 05 March 1999 and which designated the United States. On 14 September 2000, a copy of the international application was communicated to the USPTO by the International Bureau (IB).

On 19 September 2000, a Demand was filed with the International Preliminary Examining Authority electing the United States. The election was made prior to the expiration of nineteen months from the priority date. As a result, the deadline for payment of the basic national fee was extended to expire thirty months from the priority date, i.e., 05 September 2001.

On 05 September 2001, applicants filed a transmittal letter for entry into the national stage in the United States accompanied by, among other materials, payment of the basic national fee.

On 15 February 2002, the United States Designated/Elected Office (DO/EO/US) mailed a Notification Of Missing Requirements indicating that an executed oath or declaration in compliance with 37 CFR 1.497 was required. The Notification indicated that the failure to file a proper response before the expiration of two months from the mailing date of the Notification, i.e., 15 April 2002, would result in abandonment of the application.

The application file does not contain any response to the Notification Of Missing Requirements.

**DISCUSSION**

Applicants have failed to file an oath or declaration in response to the Notification Of Missing Requirements mailed 15 February 2002. Accordingly, this application became abandoned as of midnight on 15 April 2002.

**CONCLUSION**

The present application is **ABANDONED** for failure to file a timely and proper response to the Notification Of Missing Requirements mailed 15 February 2002.

If applicants did file a timely response to the Notification Of Missing Requirements, a copy of such submission and evidence of its timely filing (i.e., a return postcard bearing a USPTO receipt stamp) should be submitted in the form of a petition under 37 CFR 1.181.

Applicants might also consider filing a petition to revive the application under 37 CFR 1.137(b).

Any further correspondence with respect to this matter deposited should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



Leonard Smith  
Legal Examiner  
PCT Legal Office



Richard M. Ross  
PCT Petitions Attorney  
PCT Legal Office  
Telephone: (703) 308-6155  
Facsimile: (703) 308-6459